

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
COLUMBIA DIVISION**

LEVEL 3 COMMUNICATIONS, LLC,)
Plaintiff,) Case No. 1:09-0082
v.) Judge Trauger
MICHAEL R. FLOYD d/b/a FLOYD &)
FLOYD CONTRACTORS,)
Defendant.)

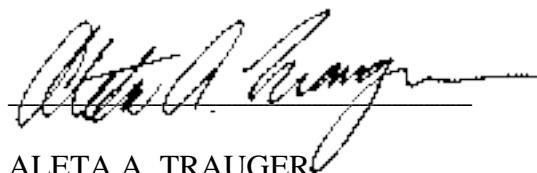
ORDER

For the reasons discussed in the accompanying Memorandum:

- 1) Plaintiff's Motion *in Limine* Regarding Loss of Use Damages (Docket No. 46) is **DENIED**;
- 2) Plaintiff's Motion *in Limine* to Exclude Certain Evidence, Testimony, and Opinions from Defendant's Purported Expert, Jozelle Patterson-Burwell (Docket No. 50) is **GRANTED**;
- 3) Plaintiff's Motion *in Limine* to Exclude Certain Evidence, Testimony, and Opinions from Defendant's Purported Expert, Gregory R. Schuelke (Docket No. 48) is **GRANTED IN PART AND DENIED IN PART**;
- 4) Defendant's Motion *in Limine* to Exclude Opinion Testimony Regarding Causation (Docket No. 53) is **DENIED AS MOOT**;
- 5) Defendant's Motion *in Limine* to Exclude Loss of Use Damages or Order An Adverse Inference for Evidence Spoliation (Docket No. 55) is **DENIED**.

It is so Ordered.

Entered this 22nd day of March 2011.



A handwritten signature in black ink, appearing to read "Aleta A. Trauger".

ALETA A. TRAUGER

United States District Judge